

File: A034/21

Applicant: Mosaik Homes

Address: 241 Trade Valley Dr Vaughan

Agent: Humphries Planning Group Inc

Please note that comments and written public submissions received after the preparation of this Staff Report (up until noon on the last business day prior to the day of the scheduled hearing date) will be provided as an addendum.

Commenting Department	<input checked="" type="checkbox"/> Positive Comment	Condition(s) <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
	<input checked="" type="checkbox"/> Negative Comment	
Committee of Adjustment	<input checked="" type="checkbox"/>	
Building Standards	<input checked="" type="checkbox"/>	
Building Inspection	<input checked="" type="checkbox"/>	
Development Planning	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Development Engineering	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Parks, Forestry and Horticulture Operations	<input checked="" type="checkbox"/>	
By-law & Compliance	<input checked="" type="checkbox"/>	
Financial Planning & Development	<input checked="" type="checkbox"/>	
Fire Department		
TRCA		
Ministry of Transportation	<input checked="" type="checkbox"/>	
Region of York		
Alectra (Formerly PowerStream)	<input checked="" type="checkbox"/>	
Public Correspondence (see Schedule B)	<input checked="" type="checkbox"/>	

Adjournment History: N/A

Background History: B026/19 (see next page for details)

Staff Report Prepared By: Pravina Attwala
 Hearing Date: Thursday, March 18, 2021

***Please note that additional comments may be received after the publication of the Staff Report. These comments will be processed as an addendum (see website for details).**



Minor Variance Application

Agenda Item: 14

A034/21

Ward: 2

Staff Report Prepared By: Pravina Attwala, Assistant Secretary Treasurer

Date & Time of Live Stream Hearing: Thursday, March 18, 2021 at 6:00 p.m.

As a result of COVID-19, Vaughan City Hall and all other City facilities are closed to the public at this time.

A live stream of the meeting is available at Vaughan.ca/LiveCouncil

Please submit written comments by mail or email to:

City of Vaughan
Office of the City Clerk – Committee of Adjustment
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
cofa@vaughan.ca

To make an electronic deputation at the meeting please contact the Committee of Adjustment at cofa@vaughan.ca or 905-832-8504. Ext. 8332

Written comments or requests to make a deputation must be received by noon on the last business day before the meeting.

- Applicant:** Mosaik Homes
- Agent:** Humphries Planning Group Inc
- Property:** **221, 231, 241 Trade Valley Dr & 8675 Highway 50, Woodbridge**
- Zoning:** The subject lands are zoned EM1 prestige employment area zone and subject to the provisions of Exception 9(1307) (1308) under By-law 1-88 as amended
- OP Designation:** Vaughan Official Plan 2010 ('VOP 2010'): "Prestige Employment"
- Related Files:** DA.17.064; DA.20.063
- Purpose:** Relief from By-law 1-88, as amended, is being requested to permit the construction of a proposed one-storey auto-service shop (shown as Building 3 on site plan provided) and a one-storey restaurant (shown as Building 2 on the site plan provided). Relief is required to facilitate Site Plan Application DA.20.63.

The following variances are being requested from By-Law 1-88, as amended, to accommodate the above proposal:

By-law Requirement	Proposal
The maximum permitted encroachment of exterior stairways into the front yard is 1.8m. (Section 3.14.c)	To permit exterior stairways to encroach maximum of 4.55m into the front yard.

Background (previous applications approved by the Committee on the subject land):

Application No.:	Description:	Status of Approval: Approved/Refused/Withdrawn/ OMB/Concurrent
B026/19	Easement over 241 Trade Valley Drive, specifically over Part 1 in favour of the lands to the south municipally known as 8745 Highway 50 for access purposes (construction use and maintenance).	Approved August 22, 2019

For information on the previous approvals listed above please visit www.vaughan.ca. To search for a file number, enter it using quotes around it. For example, "A001/17".

To search property address, enter street number and street name using quotes. For example, "2141 Major Mackenzie". Do not include street type (i.e. drive).

Adjournment History: None

Staff & Agency Comments

Please note that staff/agency comments received after the preparation of this Report will be provided as an addendum item to the Committee. Addendum items will shall only be received by the Secretary Treasurer until **noon** on the last business day **prior** to the day of the scheduled Meeting.

Committee of Adjustment:

Public notice was mailed on March 3, 2021

Applicant confirmed posting of signage on February 23, 2021

Property Information	
Existing Structures	Year Constructed
Building	Existing building constructed 2019 (purchased 2010)

Applicant has advised that they cannot comply with By-law for the following reason(s): The site plan amendment application DA.20.063 does not comply with Section 3.14 (c) - Permitted yard encroachments and restrictions as the proposed development contains exterior stairways in the front yard beyond the 1.8m maximum encroachment.

Adjournment Request: None

Building Standards (Zoning Review):

Stop Work Order(s) and Order(s) to Comply: There are no outstanding Orders on file

A Building Permit has not been issued. The Ontario Building Code requires a building permit for structures that exceed 10m2

The applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit/site plan approval.

Building Inspections (Septic):

No response

Development Planning:

Official Plan: Vaughan Official Plan 2010 ('VOP 2010'): "Prestige Employment"

The Owner is requesting to permit exterior stairways to encroach a maximum of 4.55m into the front yard to facilitate the construction of a one-storey restaurant with patio and drive-through, related to Site Development File DA.20.063.

There is no objection from the Development Planning Department with respect to the variance, as it provides safe access from the pedestrian walkway to the restaurant and occupies a relatively small area. The Owner has been informed that should additional variances be determined through the review of File DA.20.063, a subsequent minor variance application will be required. Site Development File DA.20.063 must be approved to the satisfaction of the Development Planning Department. A condition to this effect is included in the Conditions of Approval.

Through the review of File DA.20.063 and at the request of Transportation staff from the Development Engineering Department, the Owner increased the car stacking lane by relocating 4 parking spaces from the entrance of the driveway lane and shifted the pick-up window further down the drive lane to account for 2 additional vehicles, totaling 8 cars. These changes have eliminated a previous deficiency regarding the minimum number of cars in a stacking lane.

The Development Planning Department is of the opinion that the proposal is minor in nature, maintains the general intent and purpose of the Official Plan and Zoning By-law, and is desirable for the appropriate development of the land.

The Development Planning Department recommends approval of the application, subject to the Conditions of Approval.

If the Committee finds merit in the application, the following condition of approval is recommended:

That Site Development File DA.20.063 be approved to the satisfaction of the Development Planning Department.

Development Engineering:

The Development Engineering (DE) Department does not object to variance application A034/21. subject to the following condition(s):

The Owner/applicant shall obtain approval for the related Site Development Application (DA.20.063) from the Development Engineering (DE) Department.

Parks Development - Forestry:

Applicant must install tree protection fences (Hoarding) around the boulevard trees fronting 241 Trade Valley Dr. and obtain a tree protection permit from the Forestry Division.

Forestry received the application form for tree protection. Note hoarding was not installed as of March 4, 2021 observed from a site inspection. Applicant has informed Forestry that Hoarding will be installed by Monday March 8, 2021. Inspection/Approval is pending.

By-Law and Compliance, Licensing and Permit Services:

No comments or concerns

Financial Planning and Development Finance:

That the payment of the City Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and City-wide Development Charge By-law in effect at time of payment.

That the payment of Region of York Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Regional Development Charges By-laws in effect at time of payment.

That the payment of Education Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Education Act and York Region District School Board and York Catholic District School Board Development Charges By-laws in effect at time of payment

That the payment of applicable Area Specific Development Charges are payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Area Specific Development Charge By-laws in effect at time of payment.

Fire Department:

No comment.

Schedule A – Plans & Sketches

Schedule B – Public Correspondence

Application Cover Letter

Schedule C - Agency Comments

Alectra (Formerly PowerStream) – No concerns or objections
 MTO – Located outside of MTO permit control area

Schedule D - Previous Approvals (Notice of Decision)

Consent Application B026/19

Staff Recommendations:

Staff and outside agencies (i.e. TRCA) act as advisory bodies to the Committee of Adjustment. Comments received are provided in the form of recommendations to assist the Committee.

The Planning Act sets the criteria for authorizing minor variances to the City of Vaughan’s Zoning By-law. Accordingly, review of the application considers the following:

- ✓ That the general intent and purpose of the by-law will be maintained.
- ✓ That the general intent and purpose of the official plan will be maintained.
- ✓ That the requested variance(s) is/are acceptable for the appropriate development of the subject lands.
- ✓ That the requested variance(s) is/are minor in nature.

Should the Committee **adjourn** this application the following condition(s) is required: N/A

Should the Committee find it appropriate to approve this application in accordance with request and the sketch submitted with the application as required by Ontario Regulation 200/96, the following conditions have been recommended:

	Department/Agency	Condition
1	Development Engineering Farzana Khan 905-832-8585 x 3608 Farzana.Khan@Vaughan.ca	The Owner/applicant shall obtain approval for the related Site Development Application (DA.20.063) from the Development Engineering (DE) Department.

	Department/Agency	Condition
2	Development Planning Roberto Simbana 905-832-8585 x 8810 roberto.simbana@vaughan.ca	That Site Development File DA.20.063 be approved to the satisfaction of the Development Planning Department

Conditions

It is the responsibility of the owner/applicant and/or authorized agent to obtain and provide a clearance letter from respective department and/or agency. This letter must be provided to the Secretary-Treasurer to be finalized. All conditions must be cleared prior to the issuance of a Building Permit.

Please Note:

Relief granted from the City's Zoning By-law is determined to be the building envelope considered and approved by the Committee of Adjustment.

Development outside of the approved building envelope (subject to this application) must comply with the provisions of the City's Zoning By-law or additional variances may be required.

Elevation drawings are provided to reflect the style of roof to which building height has been applied (i.e. flat, mansard, gable etc.) as per By-law 1-88 and the Committee of Adjustment approval. Please note, that architectural design features (i.e. window placement), that do not impact the style of roof approved by the Committee, are not regulated by this decision.

Notice to the Applicant – Development Charges

That the payment of the Regional Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the Regional Development Charges By-law in effect at the time of payment.

That the payment of the City Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the City's Development Charges By-law in effect at the time of payment.

That the payment of the Education Development Charge if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the Boards of Education By-laws in effect at the time of payment

That the payment of Special Area Development charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and The City's Development Charge By-law in effect at the time of Building permit issuance to the satisfaction of the Reserves/Capital Department.

Notice to Public

PLEASE NOTE: As a result of COVID-19, Vaughan City Hall and all other City facilities are closed to the public at this time.

PUBLIC CONSULTATION DURING OFFICE CLOSURE: Any person who supports or opposes this application, but is unable to attend the hearing, may make a written submission, together with reasons for support or opposition. Written submissions on an Application shall only be received until **noon** on the last business day **prior** to the day of the scheduled hearing. Written submissions can be mailed and/or emailed to:

City of Vaughan
Office of the City Clerk – Committee of Adjustment
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
cofa@vaughan.ca

ELECTRONIC PARTICIPATION: During the COVID-19 emergency, residents can view a live stream of the meeting Vaughan.ca/LiveCouncil. To make an electronic deputation, residents must complete and submit a [Public Deputation Form](#) no later than **noon** on the last business prior to the scheduled hearing. To obtain a Public Deputation Form please contact our office or visit www.vaughan.ca

Presentations to the Committee are generally limited to 5 minutes in length. Please note that Committee of Adjustment meetings may be audio/video recorded. Your name, address comments and any other personal information will form part of the public record pertaining to this application.

PUBLIC RECORD: Personal information is collected under the authority of the Municipal Act, the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), the Planning Act and all other relevant legislation, and will be used to assist in deciding on this matter. All personal information (as defined by MFIPPA), including (but not limited to) names, addresses, opinions and comments collected will become property of the City of Vaughan, will be made available for public disclosure (including being posted on the internet) and will be used to assist the Committee of Adjustment and staff to process this application.

NOTICE OF DECISION: If you wish to be notified of the decision in respect to this application or a related Local Planning Appeal Tribunal (LPAT) hearing you must complete a Request for Decision form and submit to the Secretary Treasurer (ask staff for details). In the absence of a written request to be notified of the Committee's decision you will **not** receive notice.

For further information please contact the City of Vaughan, Committee of Adjustment

T 905 832 8585 Extension 8002
E CofA@vaughan.ca

Schedule A: Plans & Sketches

Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum.

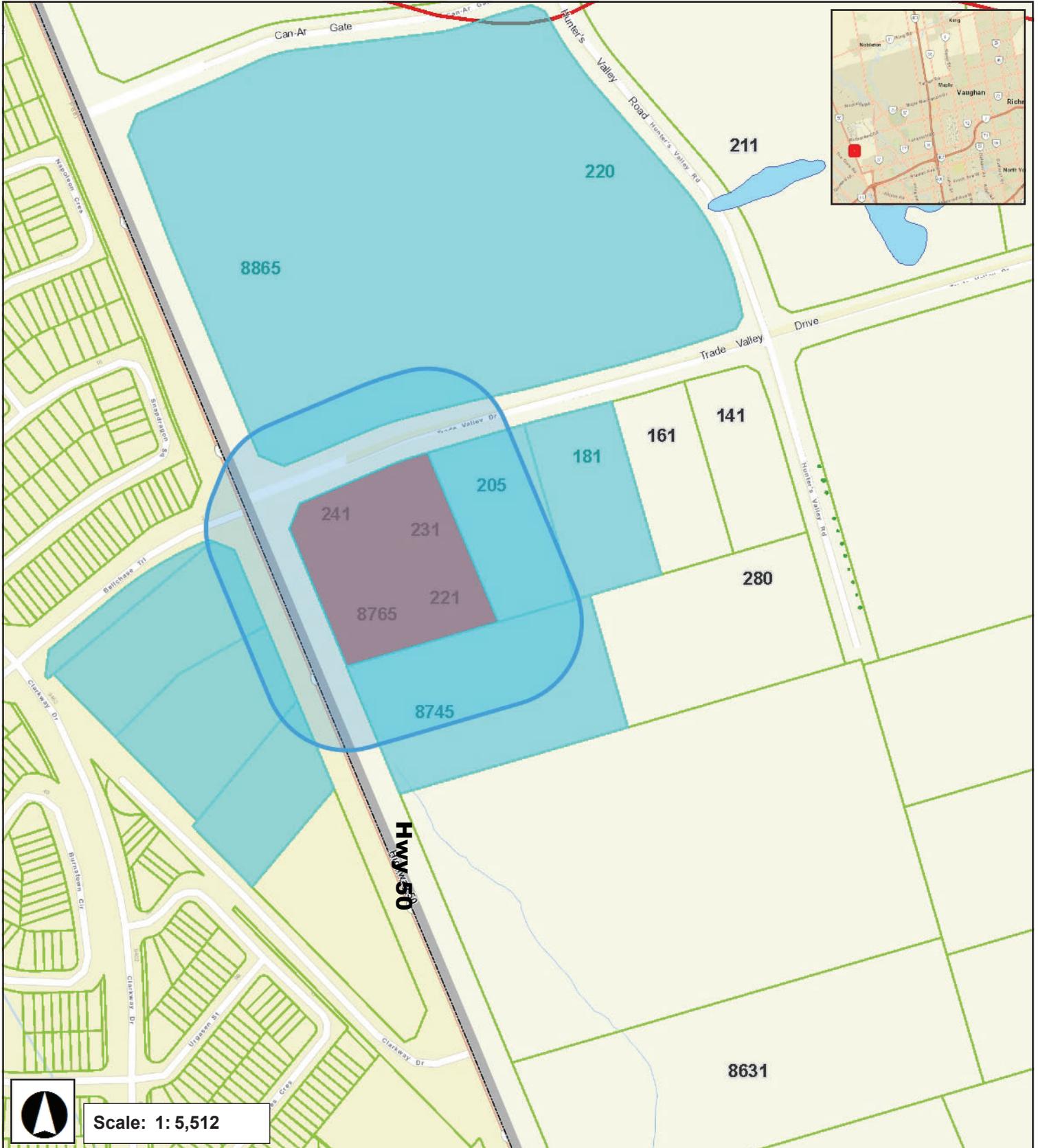
Location Map
Plans & Sketches

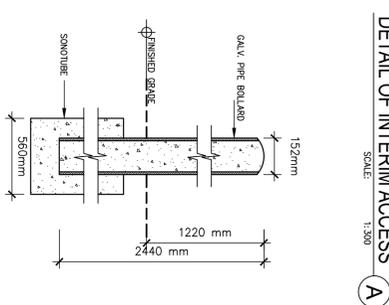
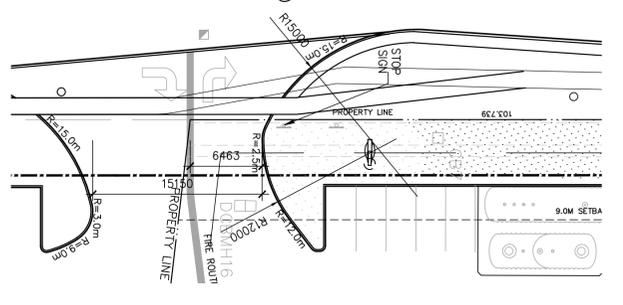


LOCATION MAP **A034/21**

221, 231, 241 Trade Valley Drive & 8765 Hwy 50, Woodbridge

Rutherford Road





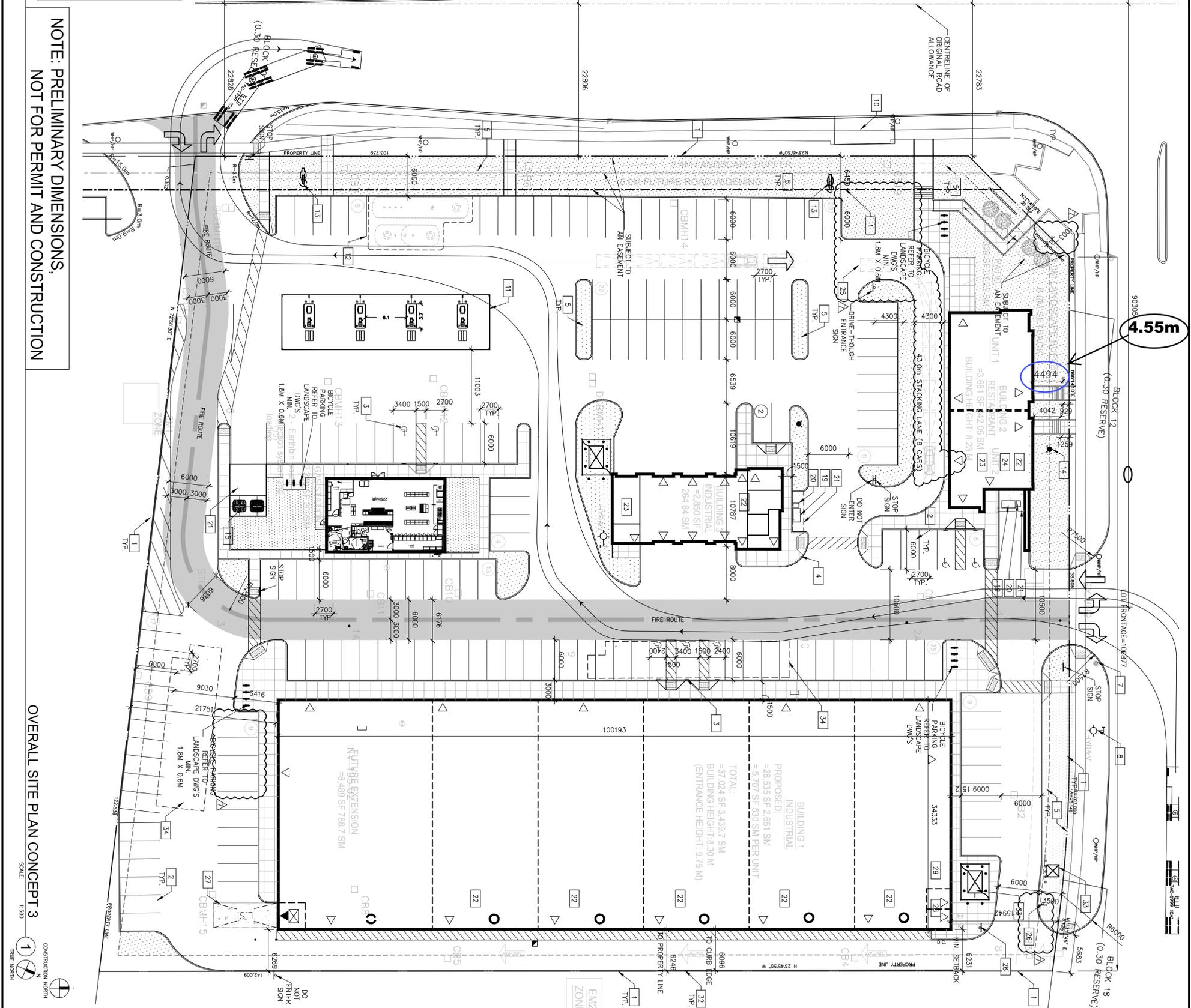
NOTE:
SHOW TO BE STORED & SHIPPED AT SITE.

NOTE:
REFER TO DRAWINGS FROM MOSAIK HOMES LTD. (LISTED UNDER CIVIL ENGINEERING DRAWINGS) FOR GRADING AND SITE SERVICES INFORMATION.

LEGAL DESCRIPTION:
REGISTERED PLAN 604-4150 BLOCK 6 (GEOGRAPHIC CITY OF VAUGHAN) REGIONAL MUNICIPALITY OF YORK PREPARED BY RADY-PEATEK & EDWARD STANLEY LTD. DATED OCTOBER 04, 2016

GLAZING NOTE:
AT LEAST 85% OF GLAZING AT SPINDLE SHALL BE FRIENDLY PATTERN TREATMENT.

SIGNAGE NOTE:
BUILDING SIGNS ARE SUBJECTED APPLICATION.



NOTE: PRELIMINARY DIMENSIONS, NOT FOR PERMIT AND CONSTRUCTION

OVERALL SITE PLAN CONCEPT 3
SCALE: 1:300

CAUTION: IF THIS SHEET IS NOT 24"x36" IT IS A REDUCED PRINT

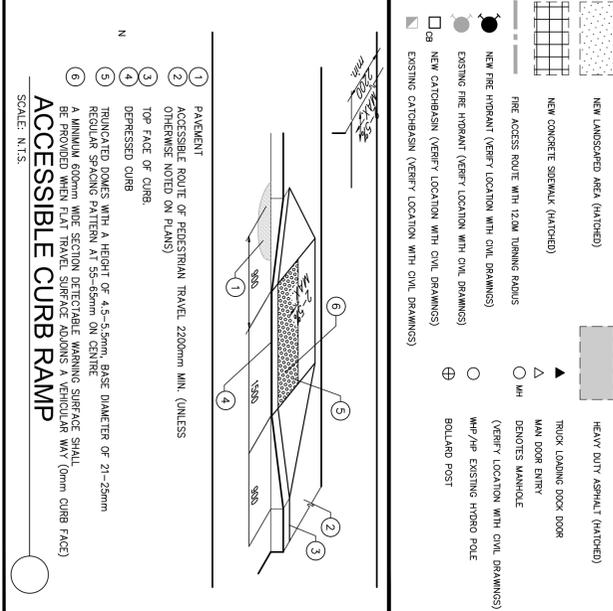
SITE STATISTICS TABLE

ITEM	PROPOSED	REQUIRED
ZONING CATEGORY	C7 & BUI	C7 & BUI
GROSS LOT AREA (HECTARES)	1.66 HE (10,615.22 SM)	N/A
GROSS FLOOR AREA (SQ. M)	4,253.06 SM (45,779 SF)	N/A
GFA (SM) - BLDG 1 INDUSTRIAL	3,439.7 SM (37,024 SF)	N/A
GFA (SM) - RESTAURANT	342.06 SM (3,681 SF)	N/A
GFA (SM) - BLDG 3 INDUSTRIAL	264.84 SM (2,810 SF)	N/A
GFA (SM) - GAS STATION	209.5M (2,250 SF)	N/A
TOTAL GROSS FLOOR AREA	4,242.54 SM (45,805 SF)	N/A
LOT COVERAGE	27.56 %	N/A
FRONT YARD SETBACK (M)	6.00 m	6.00 m (East)
REAR YARD SETBACK (M)	23.50 m	6.00 m (West)
INT. SIDE YARD SETBACK (M)	6.00 m	6.00 m (North)
INT. SIDE YARD SETBACK (M)	28.40 m	6.00 m (South)
LANDSCAPE COVERAGE	10.0% (1,677 SM)	MIN 10% OF LOT AREA
NUMBER OF PARKING SPACES	151 STALLS (INCLUDING 7 BARRIER FREE STALLS)	151 STALLS
EMPALEMENT USERS (3,700 M ² OR LESS)	2.00 spaces per 100 SM GFA-60 STALLS	
EMPALEMENT USERS (OVER 3,700 M ²)	16.00 spaces per 100 SM GFA-60 STALLS	
AUTOMOBILE SERVICE STATION / DRIVE-THROUGH / DRIVE-THROUGH	4.5 spaces per 100 SM GFA-22 STALLS	
BARRIER FREE STALLS	7 STALLS (3 TYPE A AND 4 TYPE B)	5 STALLS
BARRIER FREE STALL DIMENSIONS (M)	TYPE A: 3.4m x 6.0m TYPE B: 2.4m x 6.0m	

GENERAL NOTES

- PROPERTY LINE / FUTURE ROAD WIDENING
- 2700x6000 PARKING STALL, PAINTED PARKING STRIPPING PER CITY STANDARDS.
- TYPICAL SHARED ACCESSIBLE PARKING STALLS, PAINTED PARKING STRIPPING PER CITY STANDARDS WITH BY-PEDAL ONLY SIGN - REFER TO CITY OF VAUGHAN ACCESSIBLE PARKING STANDARDS.
- 150mm WIDE CURB TYPICAL.
- LANDSCAPE AREA - SEE LANDSCAPE DWGS.
- FIRE ROUTE
- EXISTING FIRE HYDRANT TO BE RELOCATED
- NEW LOCATION OF EXISTING FIRE HYDRANT
- EXISTING CATCHBASIN TO BE RELOCATED
- EXISTING BUS STOP CONCRETE PAD
- GAS PUMPS AND SHELTER
- UNDERGROUND FUEL TANKS
- FUTURE SIGNAGE SUBJECT TO DIFFERENT PERMIT
- NEW FIRE HYDRANT
- MOLDK UNDERGROUND DISPOSAL SYSTEM BY TENANT
- RAMP WITH LANDSCAPE
- RETAINING WALL WITH RAILING
- LOADING SPACE MIN. (3.5M X 9.0M)
- GARAGE FRONT END BIN (2.03MX1.07M)
- RECYCLING CART (0.67MX0.55M)
- 200mm REINFORCED CONCRETE LOADING PAD.
- ENTRY FEATURE
- PROVIDE 20" x 14" INTERNAL WASTE STORAGE ROOM WITH FULL HEIGHT PARTITION WALL AND ROLL UP DOOR
- PROVIDE COLLECTION METHOD FOR USED COOKING/GREASE OIL.
- RIGHT IN ONLY
- PROVIDE SIGNAGE FOR ONE WAY DRIVE LANE.
- 6.0m WIDE SHARED WASTE COLLECTING LOADING PAD.
- ELECTRICAL ROOM
- MECHANICAL / SPRINKLER ROOM
- SIGNALS NOTING THAT TRUCK COLLECTION SERVICES ON "OFF-PEAK" HOURS.
- TYPICAL CURB 150mm FROM PROPERTY LINE
- EXISTING SWITCHGEAR AND TRANSFORMER SEE ELECTRICAL DWGS.
- UNDERGROUND STORMWATER CHAMBER
- 610mm x 1220mm CONCRETE PAD AND Pylon SIGNAGE

SITE LEGEND



THESE DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY AND COPYRIGHT OF WARE MALCOMB AND SHALL NOT BE USED ON ANY OTHER WORK EXCEPT BY AGREEMENT WITH WARE MALCOMB. WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS AND SHALL BE VERIFIED ON THE JOB SITE. ANY DISCREPANCY SHALL BE BROUGHT TO THE NOTICE OF WARE MALCOMB PRIOR TO THE COMMENCEMENT OF ANY WORK.

MOSAIK HOMES

TRADE VALLEY DRIVE RETAIL

TRADE VALLEY & HWY 50

VAUGHAN, ONTARIO, CANADA

FRANK DI ROMA
LICENCE

architecture
planning
interiors
graphics
civil engineering

180 bass pro mills drive, unit 103
vaughan, ontario. L4K 5W9
p 905.760.1221
f 905.248.3344

OVERALL SITE PLAN

DATE	REMARKS
2020-08-12	ISSUED FOR SPA AMENDMENT
2020-10-02	SPA RESUBMISSION-PAD BUILDINGS
2020-12-09	REVISION TO SPA
2021-02-10	REISSUED AS PER CITY COMMENTS
2021-02-12	REISSUED AS PER CITY COMMENTS
2021-02-17	REISSUED AS PER CITY COMMENTS
2021-03-02	REISSUED AS PER CITY COMMENTS

WARE MALCOMB

Leading Design for Commercial Real Estate

a business name of WMA Inc.

PA / PM: AR

DRAWN BY: ET

JOB NO.: TOR17-0038-00

SHEET

A1.0

Schedule B: Public Correspondence Received

Please note that the correspondence listed in Schedule B is not comprehensive. Written submissions received after the preparation of this staff report will be provided as an addendum.

Application Cover Letter

HUMPHRIES PLANNING GROUP INC.

FOUNDED IN 2003

February 18, 2021

HPGI File: 10227

Committee of Adjustment

2141 Major Mackenzie Drive

Vaughan, Ontario

L6A 1T1

Attn: Christine Vigneault, AMP, ACST
Manager & Secretary Treasurer

Re: Minor Variance Application Cover Letter
Part of Lots 12 & 13, Concession 10 and Block 6 of Plan 65M-4150
221, 231 and 241 Trade Valley Drive and 8765 Highway 50
Isadan Holdings Limited
DA.20.063

Humphries Planning Group Inc. ('HPGI') is the planning consultant for Isadan Holdings Limited, the legally registered owner of the lands described as Part of Lots 12 & 13, Concession 10 and Block 6 of Plan 65M-4150 and municipally known as 221, 231 and 241 Trade Valley Drive and 8765 Highway 50, in the City of Vaughan (the "Subject Site").

A Minor Variance application is being submitted to permit the development as proposed in current Site Plan Amendment application (DA.20.063) which includes a new one-storey 264.84 m² auto-service shop (Jiffy Lube) and a new one-storey 342.05 m² restaurant with an associated drive-through stacking lane. The Site Plan Amendment application also includes retaining the existing one-storey 3,439.70 m² industrial building and the one-storey 209.00 m² gas station with gas pump canopy.

In order to facilitate the development as conceptualized in current Site Plan Amendment application (DA.20.063) relief from the Zoning By-law 1-88 is required, as confirmed from the Building Standards Department. The relief being requested from the City of Vaughan's Zoning By-law 1-88 is: Section 3.14 (c) – Permitted yard encroachments and Section 5.1.7 (b) – minimum drive-through vehicle accommodation.

Section 3.14 (c) of By-law 1-88 permits a maximum front yard encroachment of 1.8 m, whereas the development proposes an encroachment of 4.55 m. The encroachment is required due to the grade difference between the public sidewalk and the proposed

190 Pippin Road
Suite A
Vaughan ON
L4K 4X9

T: 905-264-7678
F: 905-264-8073

www.humphriesplanning.com

~ Do Something Good Everyday! ~ STAY SAFE ~

restaurant building. Exterior stairs are required to facilitate a safe pedestrian connection from the primary entrance to the building to the existing public sidewalk.

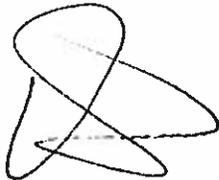
Section 5.1.7 (b) of By-law 1-88 permits a drive-through that accommodates a minimum of eight (8) cars in the stacking lane. Due to the current site configuration and the desire to avoid reduction in parking requirements, the proposed development can only accommodate six (6) cars in the stacking lane that leads up to the pick-up window. Therefore, relief is required from By-law 1-88 to decrease the minimum vehicle accommodation in a drive-through lane from the required eight (8) cars to six (6) cars.

In support of the Minor Variance application, Humphries Planning Group Inc. is submitting the following materials:

Deliverable	Consultant	Date	Copies
Cover Letter	HPGI	February 17, 2021	1
Signed and Commissioned Minor Variance Application Form	Owner	February 17, 2021	1
Cheque, in the amount of \$3,560.00 , representing the required application fee	--	--	1
Site Plan (with highlighted variances)	Ware Malcomb Inc.	February 17, 2021	1
Digital Submission	--	--	1

We trust that the above is in order and constitutes a complete application for Site Plan Amendment. We request that notice of such be issued and that the enclosed materials be circulated for review and comment

Yours truly,
HUMPHRIES PLANNING GROUP INC.



Rosemarie L. Humphries BA, MCIP, RPP
President

cc. Isadan Holdings Limited

Schedule C: Agency Comments

Please note that the correspondence listed in Schedule C is not comprehensive. Comments received after the preparation of this staff report will be provided as an addendum.-

Alectra (Formerly PowerStream) – No concerns or objections
MTO – Located outside of MTO permit control area



Discover the possibilities

COMMENTS:

- We have reviewed the proposed Variance Application and have no comments or objections to its approval.
- We have reviewed the proposed Variance Application and have no objections to its approval, subject to the following comments (attached below).
- We have reviewed the proposed Variance Application and have the following concerns (attached below).

Alectra Utilities (formerly PowerStream) has received and reviewed the proposed Variance Application. This review, however, does not imply any approval of the project or plan.

All proposed billboards, signs, and other structures associated with the project or plan must maintain minimum clearances to the existing overhead or underground electrical distribution system as specified by the applicable standards, codes and acts referenced.

In the event that construction commences, and the clearance between any component of the work/structure and the adjacent existing overhead and underground electrical distribution system violates the Occupational Health and Safety Act, the customer will be responsible for 100% of the costs associated with Alectra making the work area safe. All construction work will be required to stop until the safe limits of approach can be established.

In the event construction is completed, and the clearance between the constructed structure and the adjacent existing overhead and underground electrical distribution system violates the any of applicable standards, acts or codes referenced, the customer will be responsible for 100% of Alectra's cost for any relocation work.

References:

- Ontario Electrical Safety Code, latest edition (Clearance of Conductors from Buildings)
- Ontario Health and Safety Act, latest edition (Construction Protection)
- Ontario Building Code, latest edition (Clearance to Buildings)
- PowerStream (Construction Standard 03-1, 03-4), attached
- Canadian Standards Association, latest edition (Basic Clearances)

If more information is required, please contact either of the following:

Mr. Stephen Cranley, C.E.T
Supervisor, Distribution Design, ICI & Layouts (North)
Phone: 1-877-963-6900 ext. 31297

Mr. Tony D'Onofrio
Supervisor, Subdivisions (Alectra East)
Phone: 1-877-963-6900 ext. 24419

E-mail: stephen.cranley@alectrautilities.com

Email: tony.donofrio@alectrautilities.com

Attwala, Pravina

Subject: FW: A034/21 - REQUEST FOR COMMENTS

From: Blaney, Cameron (MTO) <Cameron.Blaney@ontario.ca>

Sent: February-23-21 1:53 PM

To: Attwala, Pravina <Pravina.Attwala@vaughan.ca>

Subject: [External] RE: A034/21 - REQUEST FOR COMMENTS

Hello Pravina,

This site is not within MTO permit control area and MTO has no concerns.

Cameron Blaney | Corridor Management Planner | Simcoe & York

Highway Corridor Management Section – Central Operations

159 Sir William Hearst Avenue | Ministry of Transportation

7th Floor, Building D | Downsview, Ontario | M3M 0B7

416-358-7871

Cameron.Blaney@ontario.ca

Schedule D: Previous Approvals (Notice of Decision)

Consent Application B026/19

NOTICE OF DECISION
Consent Application B026/19
 Section 53 of the Planning Act, R.S.O, 1990, c.P.13

- Date of Hearing:** Thursday, August 22, 2019
- Applicant:** Isadan Holdings Limited
- Agent:** Rosemarie Humphries / Marcus Martins - Humphries Planning Group Inc
- Property:** **221, 231, 241 Trade Valley Drive and 8765 Hwy 50, Woodbridge**
- Zoning:** The subject lands are zoned C76, Service Commercial Zone, and subject to the provisions of Exception 9(1345) under By-law 1-88 as amended.
- OP Designation:** Vaughan Official Plan 2010 ("VOP 2010"): "Prestige Employment"
- Related Files:** DA.17.064, Consent Application B025/19
- Purpose:** Consent is being requested to permit an easement over 241 Trade Valley Drive, specifically over Part 1 (as shown on sketch submitted with the application), in favour of the lands to the south municipally known as 8745 Hwy 50 (dominant land) for access purposes (construction use and maintenance).
- Sketch:** A sketch illustrating the request has been attached to the decision.

Having regard to the written and oral submissions related to this application as required by Section 53(18), the requirements of Section 51(24) as required by Section 53(12) and matters of Provincial interest (Provincial Policy Statement) as required by Section 3(1) of the Planning Act, R.S.O. 1990, c. P. 13, as amended, it is the decision of the Committee that provisional consent of the application:

THAT Application No. B026/19 on behalf of Isadan Holdings Limited, be **APPROVED**, in accordance with the sketches attached and subject to the following conditions:

	Department/Agency	Condition
1	Committee of Adjustment Christine Vigneault 905-832-8585 x 8332 christine.vigneault@vaughan.ca	1. That the applicant's solicitor confirm the legal description of the subject lands. Subject land applies only to the severed parcel, leased land, easement etc. as conditionally approved by the Committee of Adjustment. 2. That the applicant provides two (2) full size copies of the deposited plan of reference of the entire land which conforms substantially with the application as submitted. 3. Payment of the Certificate Fee as provided on the City of Vaughan's Committee of Adjustment Fee Schedule.
2	Development Planning Michael DiFebo 905-832-8585 x 8990 Michael.difebo@vaughan.ca	The related Site Development File DA.17.064 be approved to the satisfaction of the Development Planning Department.
3	Development Engineering Brad Steeves 905-832-8585 x 8977 brad.steeves@vaughan.ca	1. The Owner shall arrange to prepare and register a reference plan at their expense showing all existing and proposed easements to the satisfaction of Development Engineering (DE). The Owner shall submit a draft reference plan to DE for review prior to deposit.

	Department/Agency	Condition
		2. The Owner shall provide proof of a mutual access agreement between the two land owners (241 Trade Valley Drive & 8745 Hwy 50) either in the form of a signed letter from the Owner's solicitor or a DRAFT Reciprocal Easement Agreement (REA) to be provided to the satisfaction of DE. 3. The proposed mutual access from Highway 50 shall be reviewed and approved by both York & Peel Region. 4. The Owner shall obtain approval for the related Site Development Application (DA.17.064) from the Development Engineering (DE) Department.
4	Development Finance Nelson Pereira 905-832-8585 x 8393 nelson.pereira@vaughan.ca	The owner shall pay all property taxes as levied. Payment is to be made by certified cheque, to the satisfaction of the City of Vaughan Financial Planning and Development Finance Department (contact Nelson Pereira to have this condition cleared).

WARNING:

Conditions must be fulfilled within one year from the date of the giving of the Notice of Decision, failing which this application shall be deemed to be refused. Section 53(41), The Planning Act R.S.O., 1990

For the following reasons:

1. The proposal conforms to Section 51(24) as required by Section 53(12) of the Planning Act.
2. The proposal conforms to the City of Vaughan Official Plan.
3. The proposal conforms to the Provincial Policy Statements as required by Section 3(1) of the Planning Act.

Written & oral submissions were received from the following:

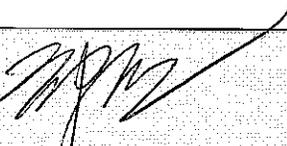
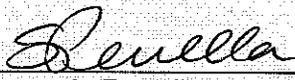
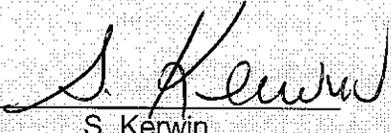
Public Written Submissions	Public Oral Submissions
* Public Correspondence received and considered by the Committee in making this decision	*Please refer to the approved Minutes of Thursday , August 22, 2019 meeting for submission details.
Name: Address: Nature of Correspondence:	Name: Address:
Name: Address: Nature of Correspondence:	Name: Address:

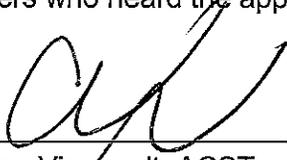
Late Written Public Submissions:

In accordance with the Committee of Adjustment Procedural By-law (069-2019) public written submissions on an Application shall only be received by the Secretary Treasurer until 4:00 p.m. on the last business day prior to the day of the scheduled Meeting.

List late public submissions or include N/A

SIGNED BY ALL MEMBERS PRESENT WHO CONCUR IN THIS DECISION:

	ABSENT	
H. Zheng Member	R. Buckler Chair	A. Perrella Vice Chair
		
S. Kerwin Member		A. Antinucci Member

DATE OF HEARING:	Thursday , August 22, 2019
DATE OF NOTICE:	August 30, 2019
LAST DAY FOR *APPEAL: *Please note that appeals must be received by this office no later than 4:30 p.m. on the last day of appeal.	September 19, 2019 4:30 p.m.
LAST DAY FOR FULFILLING CONDITIONS:	August 30, 2020 4:30 p.m.
CERTIFICATION: I hereby certify that this is a true copy of the decision of the City of Vaughan Hill Committee of Adjustment and this decision was concurred in by a majority of the members who heard the application.  <hr/> Christine Vigneault, ACST Manager Development Services & Secretary-Treasurer Committee of Adjustment	

Appealing to The Local Planning Appeal Tribunal
The *Planning Act*, R.S.O. 1990, as amended, Section 53

The applicant, the Minister or any other person or public body who has an interest in the matter may within **20 days after** the giving of notice appeal to the Local Planning Appeal Tribunal (LPAT) against the decision of the Committee by filing with the Secretary-Treasurer of the Committee a notice of appeal (A1 Appeal Form) setting out the objection to the decision and the reasons in support of the objection accompanied by payment to the Secretary-Treasurer of the fee prescribed by the Tribunal under the *Local Planning Appeal Tribunal Act*.

Note: A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

When **no appeal is lodged** within twenty days after the giving of notice the decision becomes final and binding and notice to that effect will be issued by the Secretary-Treasurer.

Appeal Fees & Forms

Local Planning Appeal Tribunal: The LPAT appeal fee is \$300 plus \$25 for each additional consent/variance appeal filed by the same appellant against connected applications. The LPAT Appeal Fee must be paid by certified cheque or money order payable to the "Minister of Finance". Notice of appeal forms (A1 Appeal Form – Minor Variance) can be obtained at www.elto.gov.on.ca or by visiting our office.

City of Vaughan LPAT Processing Fee: \$817.00 per application

*Please note that all fees are subject to change.

Important Information

Conditions of Approval: It is the applicant's responsibility to ensure that all conditions of approval have been fulfilled in accordance with the Committee's decision and the last day for fulfilling conditions (by 4:30 p.m.). Contact information has been provided for each respective department and agency to assist you with completing these conditions. Please note that some conditions may require two to three months to process.

No extension to the last day for fulfilling conditions is permissible and no further notice will be provided regarding the lapsing of your consent application.

Notice of Changes to the Provisional Consent: The Committee of Adjustment may change the conditions of a provisional consent at any time before the consent is given. You will be entitled to receive notice of any changes to the conditions of the provisional consent if you have made a written request to be notified of changes to the conditions of the provisional consent.

Lapsing of the Consent: If the conditions of approval are not satisfied within the prescribed time period (as provided in Section 53(41) of the Planning Act), the consent is deemed refused for failure to fulfill the conditions and has lapsed.

Final Approval: Final approval of the application will be issued in the form of a Certificate (pursuant to Section 53(42) of the Planning Act) once all conditions of the provisional consent have been satisfied.

Development Charges

That the payment of the Regional Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the Regional Development Charges By-law in effect at the time of payment.

That the payment of the City Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the City's Development Charges By-law in effect at the time of payment.

That the payment of the Education Development Charge if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the Boards of Education By-laws in effect at the time of payment

That the payment of Special Area Development charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and The City's Development Charge By-law in effect at the time of Building permit issuance to the satisfaction of the Reserves/Capital Department;

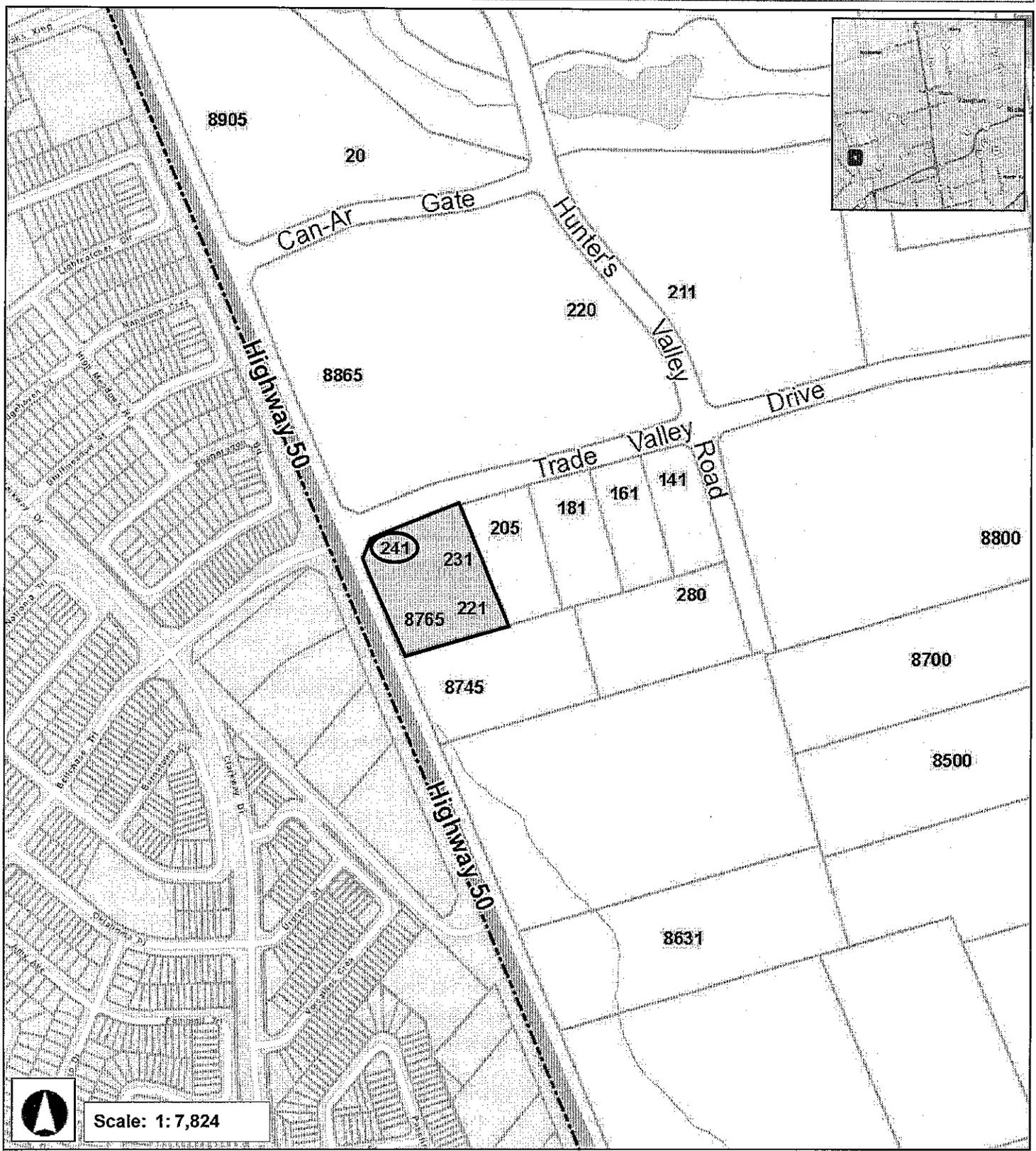
For further information please contact the City of Vaughan, Committee of Adjustment

T 905 832 8585 x 8394
E CofA@vaughan.ca

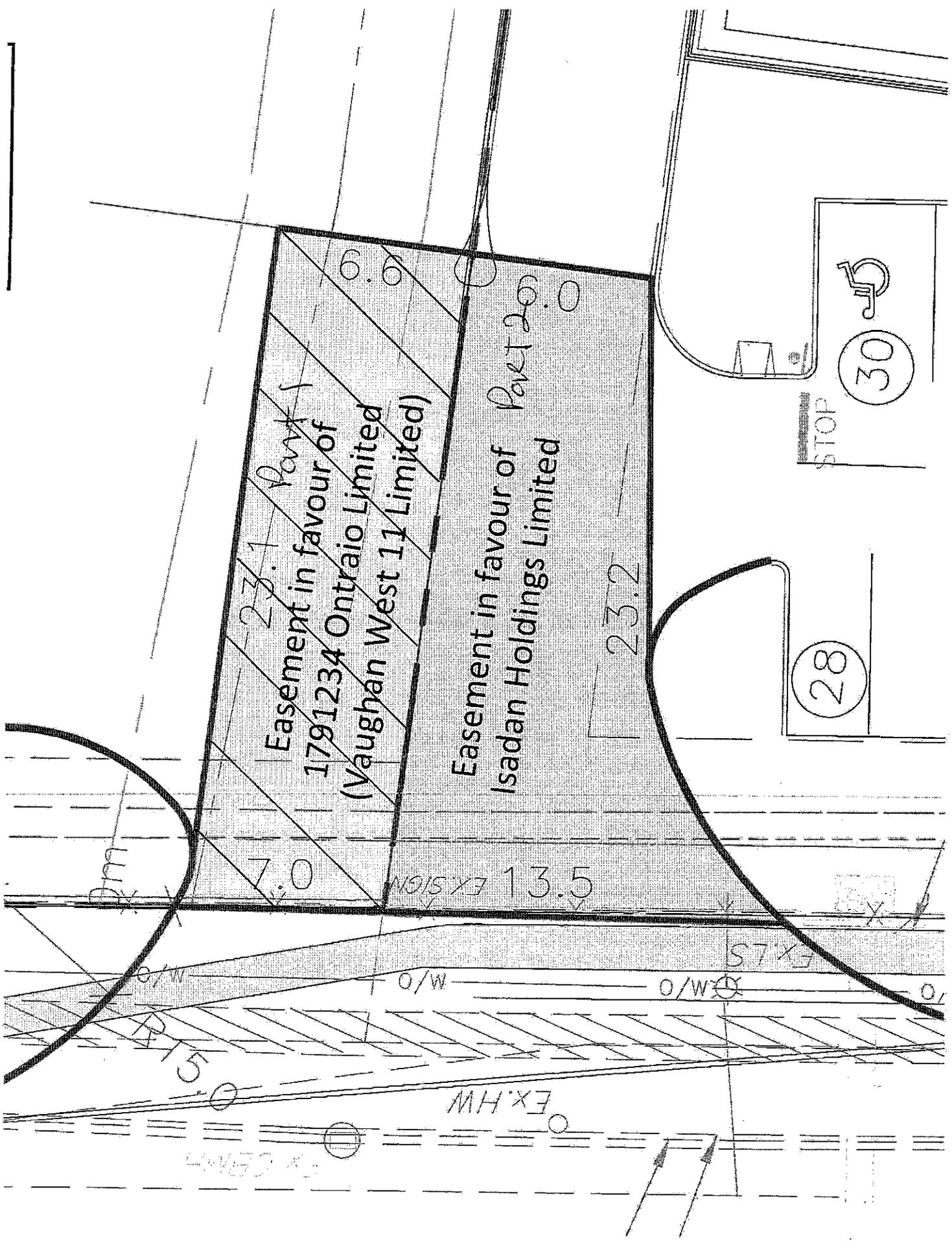


B026/19 - Location Map

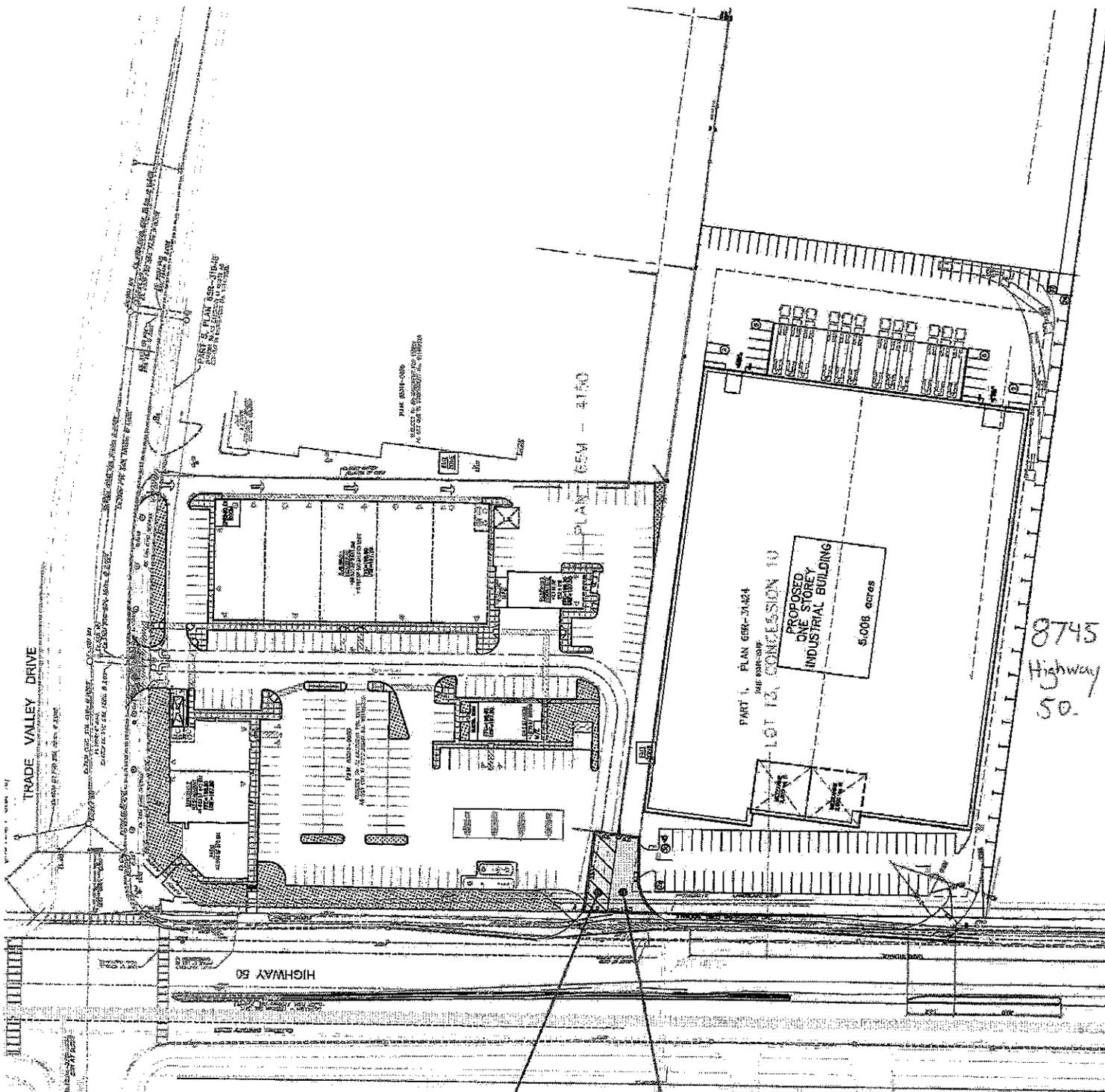
241 Trade Valley Drive, Vaughan



B026/19



B026/19



8745
Highway
50.

Easement in favour of
1791234 Ontralo Limited
(Vaughan West 11 Limited)
Area - 150m²
Frontage - 7.0m

Easement in favour of
Isadan Holdings Limited
Area - 178m²
Frontage - 13.5m